

S.N. 09/597,960

REMARKS

Claims 1-20 are pending in the application.

Claims 1, 4, 8-11 and 15-20 are allowed.

Claims 12 and 14 are objected to.

Claims 2-3, 5-7 and 13 are rejected.

The office action dated April 5, 2005 indicates that claims 12 and 14 contain allowable subject matter, but are objected to for depending from rejected base claims. Claims 12 and 14 have been rewritten in independent form and should now be allowable.

The office action indicates that claim 13 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The amendment above to claim 13 is believed to overcome this rejection.

The office action states that claims 4, 8 and 20 are pending. This is incorrect. These claims were cancelled in the response to the first office action. The status identifier above indicates that these claims are cancelled.

The office action indicates that base claims 5 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP H03-113624 (Hideto) in view of JP 10-133813 (Koji). These rejections have been rendered moot by the amendments above to claims 5 and 6.

Amended claim 5 recites a computer mouse comprising a motion sensor; and a collapsible housing for the motion sensor. The collapsible housing includes a rigid base and an upper portion attached to the base. The upper portion is made entirely of an elastic material that is flattened by application of a downward force toward the base. The upper portion returns to its original shape when the downward force is removed.

S.N. 09/597,960

Hideto shows a computer mouse housing including an upper case 101 that fits over and slides relative to a lower case. The upper case 101 is not made entirely of an elastic material. Moreover, the upper case 101 is not flattened when a downward force is applied to it.

Koji discloses a mouse housing that includes a housing section 2 and a grasping section 3. The grasping section includes plates 31 and 32. Drawings 5(a)-5(b) show the plates relative to the housing section 2 when the grasping section 3 is fully extended. Drawing 4 shows the plates 31 and 32 relative to the housing section 2 when the grasping section 3 is collapsed.

Koji does not teach or suggest making Hideto's upper case 101 entirely of an elastic material. The collapsible portion 3 of Koji's computer mouse is made of "hard" plates 31 and 32 and an elastic hinge 38.

Koji's grasping section 3 does not collapse when a downward force is applied to the upper section toward the base.

Moreover, it is not clear how the teachings of Koji could be used to modify Hideto's computer mouse. Koji teaches a variable-length mouse housing based on two sliding shells, whereas Hideto discloses a variable-height mouse with hinged hard plates. It is not clear how Koji's plates 31,32 and hinges 38 would be applied to Hideto's mouse housing. The office action offers no explanation, other than a bald conclusion that the teachings can be combined.

The combination of Hideto and Koji does not teach or suggest all claim limitations of amended claim 5. Therefore, amended claim 5 and its dependent claims 2-3 and 13 should be allowed over the combination of Hideto and Koji.

S.N. 09/597,960

Amended claim 6 recites a computer mouse comprising a motion sensor and a collapsible housing for the motion sensor. The collapsible housing includes a resilient plastic sheet that defines outer housing walls. The housing walls are foldable about fold lines to allow the housing to collapse into a relatively flat structure.

Neither Hideto nor Koji teach or suggest a computer mouse housing with walls that fold to allow the housing to collapse into a relatively flat structure. Hideto shows a computer mouse housing including an upper case 101 that fits over and slides relative to a lower case. Neither the upper case 101 nor the lower case has walls that can be folded about fold lines.

Koji shows "hard" plates 31 and 32 that are connected by a hinge 38. Koji's mouse is collapsed by sliding the plates 31 and 32 over housing 2 (see drawings 3 and 4). These plates 31 and 32 form the outer housing walls. Neither plate 31, 32 can be folded about fold lines.

The office action appears to suggest that the hinges 38 are resilient plastic sheets having fold lines. However, drawings 8(a)-8(c) of Koji clearly shows that each hinge 38 is formed from two separate plates 38a and 38b, while drawing 8(d) shows a hinge having a single plate that does not fold at all. Moreover, the hinge 38 does not form an outer wall of the housing.

The combination of Hideto and Koji does not teach or suggest all claim limitations of amended claim 6. Therefore, amended claim 6 and its dependent claim 7 and should be allowed over the combination of Hideto and Koji (claim 7 has been amended to depend properly from amended claim 6).

The examiner is respectfully requested to withdraw the rejections and issue a notice of allowability. The examiner is encouraged to contact applicant's attorney Hugh Gortler to discuss any issues that might remain.